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Argentina

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SAVE

INTELLIGENCE REPORT

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Subject Argentina Uruguay Physical Geography

The question of jurisdiction over the waters of the River Plate has never been decided.

Rather exhaustive studies on this subject reveal the following:

The outer limit of the River Plate is variously considered to be either:

- (a) A line drawn from Cabo San Antonio in Argentina to Punto del Este in Uruguay, or
- (b) A line drawn from Cabo San Antonio in Argentina to Cabo Santa Maria, in Uruguay, or
- (c) A line drawn parallel to (b) at a distance of 5 or 12 miles to seaward.

Of these views (a) is favored by Uruguay and (b) or (c) by Argentina. The (a) line is 222 kilometers in length and the (b) line, 297 kilometers, with the result that the middle point on the (b) or (c) line would be much nearer the Uruguayan coast than the middle point on the (a) line.

Uruguay claims that her jurisdiction extends to the geographical middle of the river using the middle point of the (a) line, above, as the beginning point. In the alternative, Uruguay asserts that if the geographical middle is not used, the Thalweg line, or line of deepest depth of the river, should be used. This line vacillates back and forth across the geographical middle, being north of it opposite Montevideo, south of it from Montevideo to Colonia, and North of it opposite Buenos Aires.

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Argentina claims sovereignty over the river up to a line 5 miles (sometimes considered 3 miles) from the coast of Uruguay. If the geographical middle line should be used, Argentina claims that it begins at the middle point on the outer-limit lines (b) or (c), above, which, as indicated, would place the geographical middle line at its seaward approach north of the geographical middle line contended for by Uruguay.

The main ship channel leading to Buenos Aires is partly on the Uruguay half of the river. However it is dredged, and buoyed by the Argentine Government who claim and maintain sole control over it. None but Argentine tugs, for instance, are permitted (except with permission of the Argentine Government) to operate there.

I have been unable to find any International Law decision on the subject of jurisdiction over these specific waters.

Attempts

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Attempts have been made in the past (a convention was held in 1889) to settle the matter by agreement between Argentina and Uruguay, but no agreements have ever been made as far as can be ascertained.

This information is furnished for such value as it may have if the question should arise in connection with extra pay for merchant seamen, accidents in the channel, etc.

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Argentina Uruguay

Rodolfo Fonseca Muñoz, La Jurisdicción
Internacional del Río Uruguay Montevideo, 1941

Carlos Carbajal, Nuestro Dominio Fluvial en
los Tratados Internacionales (1937) Montevideo
(this is out of print)

The former is enclosed with D. 492, Montevideo,
Uruguay, Sept 26, 1949 - 733.3515 / 9-2649 State Dept.

Dec. 29, 1937

Uruguay Seizes Disputed Island

Buenos Aires, Dec. 28 (JWS)

Uruguay naval forces
occupied Argentine - claimed
Garcia Island in the River
Plate today, advisers
from the frontier to Buenos
Aires said tonight.

Seizure of island,
ownership of which has
been long disputed between
Argentina & Uruguay, may
lead to a warlike crisis
between the two neighboring
nations, it was feared.